

# **Indiana Utility Regulatory Commission**

## **Telecommunications Frequently Asked Questions**

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### **TELECOMMUNICATIONS MAPS**

#### **Q. How can I obtain an exchange map?**

**A.** Copies of individual exchange boundary maps are maintained in the Commission's office. To order a copy of an individual exchange boundary map, contact the IURC Communications Division at 317-232-5559. Duplication charges may apply. State maps depicting all telephone exchanges are available from the Indiana Telecommunications Association, Inc. (ITA) – 54 Monument Circle, Suite 200, Indianapolis, IN 46204. Phone: (317) 635-1272 or FAX: (317) 635-0285. [www.itainfo.org](http://www.itainfo.org)

### **PAYPHONES**

#### **Q. Do payphone providers need to register with the IURC?**

**A.** Payphone providers do not need to register with the IURC. Companies that supply and maintain payphones for the public are deregulated. However, payphone service providers should not be confused with operator service providers or alternative operator service (AOS) providers which are required to obtain a CTA and are governed by state and federal policies.

#### **Q. What are the general rules for payphone providers?**

**A.** The IURC regulations regarding payphones were first promulgated in Cause No. 38158 (November 25, 1987) and reaffirmed in Cause No. 40785 (September 18, 2000). Below is the list of current guidelines:

- Provider must be registered with the FCC.
- Stations must comply with all applicable federal, state, and local laws and regulations concerning the use of pay stations by disabled persons.
- Stations must provide dial tone first.
- Stations must provide users with the ability to access the "0" Operator and 911 service (where available without the use of a coin or credit card).
- Stations must be able to provide credit card, collect, and third-party billed long-distance calls without the use of a coin.

- Stations must provide accessibility to all inter-exchange carriers where equal access is provided.
- Stations may not limit the duration of a local call.
- Provider must provide one local telephone directory annually.
- Stations must present an informal message, which may be audio or visual, in, on, or adjacent to the Coin Operated Pay Telephones (COPT) that explains its general operation.

**Q. Who do I call if I experience a service problem with a payphone?**

**A.** A variety of companies and entities provide payphone services and they are required to affix a decal or sticker to the side of the phone or kiosk which clearly displays procedures to be followed when requesting refunds or reporting repair problems as well as the payphone provider's name, address, pricing and instructions for receiving a refund and/or reporting service problems. Sometimes the problem is not with the payphone itself, but with the operator service provider. See Q & A below.

**Q. Who do I call if I experience a problem with an Operator Service Provider?**

**A.** The payphone provider is required to post the name and address of the operator service provider and inform customers how to contact the IURC Consumer Affairs Division. Operator service providers are required to:

- "Brand" all calls, or announce the company providing the service.
- Give the caller an opportunity to access an alternative interexchange carrier of choice without charge by hanging up and dialing the interexchange carrier's access number.
- Operator service providers are not permitted to bill for incomplete calls or bill local calls based on usage.
- Customers must have access to 911 emergency services and the operator of the local exchange provider.

**Q Are calls from prisons regulated?**

**A.** Companies that provide operator services to prisons or confined populations are regulated and are subject to most of the operator service regulations above. Operator service providers to prisons must brand all calls to both the caller and the called party. The rates and tariffs of operator service providers to prisons are on file at the Commission. However, 1) they have been exempted from requirements to post signs on the payphone with contact information of the operator service provider and the Consumer Affairs Division; 2) they may block access to interexchange carriers of choice, to the operator and 911; 3) they may block certain numbers, such as 800, 900 numbers and third-party billed calls; they may limit the duration of a call; and 4) they may use their own discretion in providing directories.

In addition, the Indiana Department of Correction handles complaints and oversight of telephone systems to Indiana prisons per Indiana Code 11-11-1-2. The Indiana Department of Administration reviews contracts between prisons in counties with populations of 75,000 or more and the operator service providers per Indiana Code 5-22-23. The FCC handles complaints regarding interstate calls via operator service providers, including those from prisons and controlled population institutions.

## **CONSUMER INFORMATION**

### **Q. What are the required components that must be on a company's telephone bill?**

**A.** The following items must be included in a telephone bill:

- The amount listed on the previous bill;
- Reflection of any payments made to the account;
- Reflection of any adjustments made to the account;
- Any past due amount (if applicable);
- The amount of current charges;
- Date amount is due;
- Numbers for repair service, local service, long distance carrier (if applicable), and payment arrangements;
- State and Federal Taxes;
- Other local, state and federal charges.

### **Q. What are all the charges that appear on my local telephone bill?**

**A.** The way telephone service providers code the specific items on your bill may vary from company to company, but essentially the following list of items explains what is on your telephone bill:

- Telecommunications Relay System - (a.k.a. hearing impaired dual relay charge pursuant to IURC Cause No. 39880);
- E911 charge - each county sets its own county specific emergency service charge and the IURC does not have authority over charges for E911 services. These charges are billed by the local service provider (including cellular) and appear on the customer's bill.
- In-State Carrier Line Charge - applies monthly per billed telephone number account where the customer has one or more lines with a given carrier as the primary inter-exchange carrier.
- End User Common Line Charge/Subscriber Line Charge - This is a charge authorized by the FCC for companies to assess on residential and business customers in order to recover a portion of the costs of providing service that are not included in basic rates.
- Universal Service Charge - This is a charge assessed by telecommunications companies to residential customers pursuant to the Federal Telecommunications Act of 1996 (TA-96). TA-96 is designed, in part, to subsidize the costs of local telephone service in rural and high cost areas and to provide support for Internet services to schools, libraries and rural health care facilities. Every long distance carrier in the industry must also contribute to this fund. In order to recover its costs, carriers assess a separate monthly fee, a universal connectivity charge or federal universal service fee, as a percentage of each customer's bill.
- Number Portability Surcharge - This charge was approved by the FCC for local exchange companies to offset the cost associated with providing local number portability. The charge depends on the company's unique cost of implementing LNP. They can recover their cost for implementing LNP over a 5-year period.

- **Federal Access Charge** - This is a charge that was part of the divestiture of AT&T and the Bell Operating Companies wherein the FCC required that all end users have access to the long distance carrier of their choice. Access to a long distance carrier (a.k.a. inter-exchange carrier, "IXC") is divided into two general categories:

- **End User Access Charge** - applies to every local loop and is sensitive to the nature of the circuit (i.e., residential, business, single versus multi-line, etc.) and appears on a bill regardless of whether or not a customer ever places a long distance call.
- **The Carrier Access Charge** - applies to all IXCs that connect the local loop. This charge is paid by the IXC to the LEC according to usage-sensitivity measured by minutes of use and the length of the loop from the point of presence to the termination point in the LECs network.

**Q. Other than my incumbent local exchange carrier, from whom can I obtain service?**

**A.** There are a number of Competitive Local Exchange Carriers (CLECs) providing local exchange service to various areas throughout the state. Your local telephone directory is a good source for locating these providers in your area.

**Q. Does the IURC regulate the placement and construction of cellular towers?**

**A.** No. The local government that has zoning and/or building permit authority for the proposed or existing cell tower location regulates the placement and construction of cell towers or wireless facilities. The Telecommunications Act of 1996 confirms the right of local zoning authorities to regulate the placement, construction and modification of wireless facilities. However, local governments cannot unreasonably discriminate among wireless providers or prohibit wireless services from operating in a jurisdiction. Further, state and local government cannot regulate the placement, construction or modification of the facility on the basis of environmental effects of the radio frequency emissions, providing that the facility complies with Federal Communications Commission (FCC) regulations regarding radio frequency emissions.

**Q. What is slamming and how do I protect myself?**

**A.** Slamming is the practice of switching a telephone customer's long distance provider without obtaining permission from the customer. You can protect yourself from slamming by calling your local exchange provider and requesting that a Primary Interexchange Carrier (PIC) freeze be placed on your account. If you are slammed, you should contact your local telephone service provider and then call the IURC Consumer Affairs Division to register the incident.

**Q. What is cramming and how do I protect myself?**

**A.** Cramming is the practice of billing telephone customers for telecommunications or other services, which they did not order, authorize or use. You can protect yourself from cramming by closely examining your telephone bill each month to be sure that you understand and have authorized all of the services for which you are being billed. If services appear on the bill that you did not order, you should call your local telephone service provider and then call the IURC Consumer Affairs Division to register the incident.

**Q. Are any changes to the state's Area Codes anticipated?**

No. The last change to the state's area codes occurred with the addition of the area codes of 260 and 574 in northern Indiana in 2002. The Commission has taken several steps to reduce the need for new area codes in the state. The Commission has worked to implement "number pooling" that allows for more efficient use of numbering resources. Furthermore, the Commission has worked with telecommunication carriers to return unused numbering resources. As a result of these actions and a reduction in demand of numbering resources by telecommunications carriers, the state's area codes are not projected to exhaust in the near future. The Commission is continuing to work with carriers to ensure that the state's numbering resources are used most effectively and the disruptive effects of area code changes are avoided. The latest projected lives for the state's area codes are listed below.

<u>NPA</u>	<u>Projected Exhaust Date</u>
219	2019
260	2019
317	2010
574	2020
765	2010
812	2008

**CARRIER INFORMATION**

**Q. What telecommunications companies are regulated by the IURC?**

A. The IURC, via IC 8-1-2-88, has the authority to issue Certificates of Territorial Authority (CTA) for the provision of telecommunications service in Indiana. This applies to many types of telecommunications providers including Incumbent Local Exchange Carriers (ILECs), Competitive Local Exchange Carriers (CLECs), Inter-exchange Carriers (IXCs), Alternate Operator Service (AOS) providers and Cellular Service providers. At this time the Commission does not require CTAs for Internet Service Providers or Voice over Internet Protocol (VoIP) providers. The Commission does not actively regulate interstate IXCs and Cellular providers beyond issuing a CTA because of FCC jurisdiction of these carriers.

**Q. Does the IURC regulate cellular/wireless companies?**

A. The IURC requires cellular/wireless companies doing business in Indiana to obtain a Certificate of Territorial Authority (CTA) for Commercial Mobile Radio Services (CMRS). This type of CTA requires the company to notify the Commission of any changes to the company (such as name or address changes), pay a public utility fee and agree to abide by any future regulations or orders regarding CMRS. The Telecommunications Act of 1996 prohibits state governments from regulating the rates of cellular/wireless service providers unless it can be demonstrated that a cellular/wireless company serves as a replacement for local exchange service for a substantial portion of a community or area. Since this is not the case for any cellular/wireless service provider in Indiana, the IURC does not regulate cellular/wireless rates.

The service quality of cellular/wireless companies is not regulated by the IURC. The FCC does take cellular/wireless complaints regarding roaming, dropped calls, fraud and billing disputes. The FCC can be contacted by calling 1-888-CALL-FCC (1-888-225-5322) or at <http://www.fcc.gov/cgb/complaints.html>.

**Q. Does the IURC regulate pager/beeper service providers?**

**A.** The IURC does not regulate the rates or quality of service of pager/beeper companies, but does require pager/beeper service providers within the state to identify themselves by filing an application for a Radio Common Carrier or Commercial Radio Service CTA.

**Q. How do pager/beeper service providers obtain a CTA for service provision?**

**A.** The two page CMRS CTA application can be obtained from the IURC website and mailed to the Commission at the address listed at the top of the application. A Certificate of Authority from the Indiana Secretary of State must accompany the completed application form. There is no application fee, but the company will be required to pay an annual utility fee, which is based on the company's earned revenue in the state of Indiana.

**Q. How does a new telecommunications company obtain certification to become a facilities-based CLEC, a CLEC reseller, IXC, Alternate Operator Services Provider, or cellular provider?**

**A.** A telecommunications company that requests to be certified to provide telecommunications service in Indiana needs to acquire a Certificate of Territorial Authority (CTA) from the Commission. Companies who have facilities in Indiana or who provide AOS services must petition the Commission for a CTA. The petitioning company must be represented by an attorney licensed/authorized to practice law in the state of Indiana. Additionally, petitioning companies must provide proof of certification from the Secretary of State's Office authorizing the transaction of business in the state of Indiana. Procedures for this process are published on the Commission's website. The Commission has a short form on our website that can be used by the other carriers (CLEC resellers, IXCs resellers and Cellular providers) to apply for a CTA.

**Q. How long does the IURC CTA application process take?**

**A.** There is no pre-defined time period for this process although typically approval may be granted between 60 – 90 days for a facilities-based provider. Applications for IXC resellers, AOS providers are approved on a "next business day approval" basis. Competitive Local Exchange Carrier Resellers are approved after 30 days.

**Q. What are the tariff requirements at the IURC?**

**A.** Unless the company is providing long distance service or is a cellular provider, a tariff filing is required after the issuance of a CTA. If there are any unique requirements pertaining to a specific telecommunications service provider, they will be noted in the order granting the CTA. The tariff should list all rates, charges, rules and regulations affecting customers. Any changes to an original tariff must also be filed with the IURC. The initial tariff requires two hard copies.

To file tariff changes, provide two hard copies to the IURC Telecommunications Division's Tariff Administrator to be dated-stamped "Received". One tariff will be the IURC copy and one will be the telecommunications public drawer copy. Many companies provide a cover letter or transmittal sheet to be date-stamped and sent to the carrier for proof of submittal. Per General Administrative Order 1998-2, the company must also provide an electronic copy of the tariff via a link to the company's website with a posting of the tariff or any tariff changes.

**Q. What if my company is filing for bankruptcy and needs to withdraw its CTA?**

**A.** The voluntary relinquishment/withdrawal of the authority granted to a CLEC, WATS provider, toll reseller, RCC or CMRS provider via the Commission's issuance of a CTA can be accomplished utilizing the "Verified Notice of Change In A Certificate Of Territorial Authority..." form found in the Telecommunications section of the Commission's website. These applications are processed on a "next business day approval" basis.

**Q. What are the requirements for notifying customers if a company cancels its CTA?**

**A.** The IURC has not promulgated specific rules regulating customer notification of the cessation of service due to a carrier ceasing to offer service. However, customers should be provided with sufficient advance notice (at least 30 days recommended) so they have time to find an alternative provider of their own choosing.

**Q. If at some point, a company obtained a CTA from the IURC but, has no plans to do business in the state of Indiana should that CTA be relinquished?**

**A.** Yes.

**Q. What is the process for changing or transferring CTA "ownership?"**

**A.** The appropriate forms to be used to accomplish these type changes can be found on the Commission website.

**Wholesale Services**

**Q. Who does wholesale-resale service apply to?**

**A.** Wholesale-resale service applies to CLEC Resellers of telephone service. These providers obtain service from the ILEC at a wholesale discount and then resell that service at retail rates.

**Q. What is the wholesale discount for SBC?**

**A.** The IURC set the wholesale discount for SBC in Cause No. 41055. CLECs can obtain a 21.46% discount off of SBC's retail rates if the CLEC requests operator services/directory assistance and 22.13% if the CLEC does not request operator services/directory assistance. SBC's wholesale tariff is in Part 22 of its Catalog that can be accessed through the company's website.

**Q. What is the wholesale discount for Verizon?**

**A.** The IURC set the wholesale discount in Cause No. 41117. CLECs can obtain a 19.58% discount off of Verizon's retail rates if the CLEC requests operator services/directory assistance and 22.30% if the CLEC does not request operator services/directory assistance. Verizon's wholesale tariff is in IURC T-5 and can be accessed through the company's website.

**Q. What is the wholesale discount for Sprint?**

**A.** As part of Cause No. 42459 CLECs can obtain a 15% discount off of Sprint's retail rates.

**Q. What are UNEs?**

**A.** The acronym UNE stands for Unbundled Network Element. The Telecommunications Act of 1996 requires the Incumbent Local Exchange Carriers (ILECs) to make available to CLECs their network elements on an incremental cost basis. UNEs are defined as physical and functional elements of the network including Network Interface Devices (NIDS), local loops, switch ports, and dedicated and common transport facilities. The FCC periodically alters the list of UNEs.

**Q. What are the UNE rates for SBC?**

A. The Seventh Circuit Court has ruled that SBC is not required to file a UNE tariff with the IURC. However, SBC's Interconnection Agreements contain UNE rates.

**Q. What are the UNE rates for Verizon?**

A. Verizon's UNE rates are in IURC T-6 tariff. A paper copy is submitted to the IURC and electronic copies are on Verizon's website.

**Q. What are the UNE rates for Sprint?**

A. Sprint does not have IURC approved UNE rates. To date, CLECs have been able to negotiate UNE rates in various interconnection agreements. To obtain a copy of a Sprint/CLEC interconnection agreement, please contact our duplicating office.

**Q. What are Interconnection Agreements?**

A. Interconnection Agreements are contracts between carriers for a variety of matters including exchange of traffic, resale of services, or the lease of unbundled network elements. Pursuant to TA-96 ILECs are required to file Interconnection Agreements with the IURC. Procedurally the IURC posts the Interconnection Agreements on our website and after 30 days, if no party objects, the Interconnection Agreements are deemed approved. The IURC keeps the Interconnection Agreements on file. Please call our Tariff Administrator (317-232-5559) for copies.